

**NEW JERSEY NOISE CONTROL COUNCIL (NCC)**  
**FEBRUARY 14, 2017**  
**MEETING MINUTES**

**ATTENDEES:** Arnold Schmidt (Chairman, Public Member), Steve Szulecki (Vice Chairman, Public Member, Ecologist), Randy Hauser (Department of Labor), Salvatore Fama (Motor Vehicle Commission), Eric Lieberman (Department of Health), Dr. Iris Udasin (Public Member, Medical Doctor), Norm Dotti (Public Member, Industrialist), John Kapferer (Public Member), Jerry Feder (Public Member), Eric Zwerling (Director of the Rutgers Noise Technical Assistance Center) and David Triggs (Department of Environmental Protection, Noise Control Council Liaison).

**PUBLIC:** Jack Zybura (Lewis S. Goodfriend and Associates) and Mark Roskein (Retired Somerset County Department of Health)

**MEETING MINUTES:**

The January meeting minutes were reviewed and approved with Norm Dotti motioning to accept with one minor change regarding the Part 150 Study and John Kapferer seconding. All were in favor so the motion passed.

**CHAIR REPORT:**

- A memo was drafted and submitted to the DEP Commissioner's Office for the re-appointment of Arnold Schmidt, Dr. Udasin, Steve Szulecki, Norm Dotti, John Kapferer and Jerry Feder and the appointment of Joseph Difillippo. The memo was submitted at the request of upper management due to a "window of opportunity" to fill vacancies on boards and committees.

**NCC COMMUNICATIONS/CORRESPONDENCE:**

There was no correspondence to the NCC.

**OLD BUSINESS:**

- *Emergency Generators:* Additional changes were suggested to finalize the guidance document. Steve Szulecki submitted extensive revisions via e-mail, many of which were added to the copy distributed at the meeting. A vote was taken to accept the changes with eight members in favor and Steve Szulecki abstaining. The next step will be to add it to the guidance document, mail it to municipalities, health departments and the participants at the stakeholder's meeting. It should also be made available on the CEHAN Portal and mentioned in the Rutgers Noise Technical Assistance Center News Letter. The NCC is still unsure how to make it available to the big box stores that sell generators. The original authors of the document, Joseph Lepis and Salvatore Fama were recognized for the work they put into it. Eric Lieberman voiced his concern that the document could be misread as regulatory advice if it is distributed to too many stores, vendors, manufacturers and installers.
- *Motor Vehicles Entering and Exiting Properties:* There was no discussion.
- *Roundtable Part 150 Study:* There was no discussion.
- *Penalty Assessment Matrix:* The penalty matrix template and NOV were sent to the CEHA Coordinators for their review and comments. A majority felt that the matrix was a good idea worth pursuing. Some coordinators expressed concern over additional wording in the NOV that gave the violator the option of requesting readings during the grace period, as long as measures were taken to lower the sound levels. The NCC discussed the penalty reductions during the grace period, when sound levels are significantly lowered but compliance is not achieved. While some members felt that a reduction was unwarranted, others thought that it offered the violator an incentive to reduce the noise. Eric Lieberman felt that because the template is advisory, it could be challenged in court.

- *7:29 Revisions:* There was no discussion.
- *Model Ordinance Wording:* There was no discussion.

**NEW BUSINESS:**

NCC member Randy Hauser stated that any questions related to occupational noise can be forwarded to him.

**PUBLIC DISCUSSION:**

Prior to Executive Session, potential candidate members Jack Zybura and Mark Roskein were given the opportunity to describe their qualifications and interest in filling the vacancy on the NCC. Mr. Zybura, a professional engineer who specializes in acoustics, has been attending NCC meetings for over a year and felt he could contribute to updating the regulations when they sunset in 2019. Mr. Roskein, recently retired from the Somerset County Department of Health (SCDH), feels that he would represent the people. As a noise investigator for the SCDH, he stated that he had a 99% rate of compliance.

**EXECUTIVE SESSION:**

The NCC met in Executive Session. The meeting minutes are recorded separately and will be numbered and distributed at the March meeting and collected after review and approval.

**NEXT MEETING:**

The next meeting is on March 14th at 9:30 a.m.

Respectfully submitted by: David Triggs, NJDEP Liaison to the NCC